

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

OHIO VALLEY ENVIRONMENTAL
COALITION, INC., and WEST
VIRGINIA HIGHLANDS
CONSERVANCY, INC.,

Plaintiffs,

v.

CIVIL ACTION NOS. 3:07-0413, 3:08-0088 and
3:09-1167

APOGEE COAL COMPANY, LLC, and
HOBET MINING, LLC,

Defendants.

ORDER

Upon request of the parties, the Court **SCHEDULES** a hearing for **August 17, 2010**, at **1:30 p.m.** to entertain settlement or to hear closing arguments as to the matters in controversy.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented parties.

ENTER: August 12, 2010


ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE